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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53 (b))

Attorney Docket No.	38-21(51892)B
First Inventor	Bougri, Oleg V.
Title	NUCLEIC ACID MOLECULES AND OTHER MOLECULES ASSOCIATED WITH PLANTS
Express Mail Label No.	EK089244633US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification [Total Pages 70]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R and D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) [Total Sheets]
5. Oath or Declaration [Total Pages 20]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i. ☒ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet, document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(should be specifically itemized)
15. ☐ Certified Copy of Priority Document (s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

Prior Application Information. Examiner

Group/Art Unit.

For CONTINUATION OR DIVISIONAL APPS ONLY. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☒ Correspondence address below

Name	Lawrence M. Lavin, Jr.		
	Patent Department, E2NA; Monsanto Company		
Address	800 N. Lindbergh Boulevard		
City	St. Louis	State	Missouri
Country	USA	Telephone	(314) 694-3602
		FAX	(314) 694-1671
Name (Print/Type)	Lawrence M. Lavin, Jr.	Registration No. (Attorney/Agent)	30768
Signature	Lawrence M. Lavin, Jr.	Date:	04/18/2001

Burden Hour Statement This form is estimated to take 2 hours to complete. Time will vary depending upon the needs of the individual cases. Any comments on the amount of time you required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001 <i>Patent fee are subject to annual revision.</i>	Complete if Known	
	Application Number	
	Filing Date	
	First Named Inventor	Bougri, Oleg V.
	Examiner Name	
Group Art Unit		
Attorney Docket No.	38-21(51892)B	
TOTAL AMOUNT OF PAYMENT	(\$)	710

METHOD OF PAYMENT (check one)		3. ADDITIONAL FEES																																																																																																																																																																																									
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 13-4125 Deposit Account Name <input checked="" type="checkbox"/> Charge Any Additional Fee Required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>0</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover she</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>0</td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex part reexamination</td><td>0</td></tr><tr><td>112</td><td>920*</td><td>112</td><td>1,840*</td><td>Requesting publication of SIR prior to Examiner action</td><td>0</td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>0</td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>0</td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td>0</td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td>0</td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td>0</td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td>0</td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td>0</td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td>0</td></tr><tr><td>121</td><td>260</td><td>221</td><td>150</td><td>Request for Oral hearing</td><td>0</td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>0</td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>0</td></tr><tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td>0</td></tr><tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td>0</td></tr><tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td>0</td></tr><tr><td>144</td><td>430</td><td>243</td><td>215</td><td>Plant issue fee</td><td>0</td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to commissioner</td><td>0</td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing under 37 CFR 1.17(q)</td><td>0</td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of information Disclosure Statement</td><td>0</td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>0</td></tr><tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR §1.129(a))</td><td>0</td></tr><tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR §1.129(b))</td><td>0</td></tr><tr><td>179</td><td>690</td><td>279</td><td>345</td><td>Request for continued Examination (RCE)</td><td>0</td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td>0</td></tr><tr><td colspan="4">Other fee (specify) _____</td><td></td></tr><tr><td colspan="4">SUBTOTAL (3)</td><td>(\$) 0</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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103	18	203	9	Claims in excess of 20																																																																																																																																																																																							
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104	270	204	135	Multiple dependent claims, if not paid																																																																																																																																																																																							
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110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																							
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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Lawrence M. Lavin, Jr.	Registration No. (Attorney/Agent)	30768	Telephone	(314) 694-3602
Signature	Lawrence M. Lavin, Jr.	by Jinn S Zhou (Reg. No. 41422)	Date:	04/18/2001	

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Burden Hour Statement. This form is estimated to take 2 hours to complete. Time will vary depending on the needs of the individual cases. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Oleg V. Bougri et al.

Appln. No.: To Be Assigned

Filed:

For: Nucleic Acid Molecules and Other
Molecules Associated With Plants

Art Unit: To Be Assigned

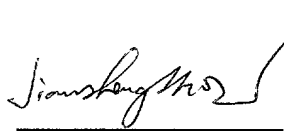
Examiner: To Be Assigned

Atty. Docket: 38-21(51892)B

I hereby verify this transmittal together with the patent application referred to below is being deposited
with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10
Express Mail Label No. EK089244633US on the date indicated and is addressed to:
Commissioner for Patents, Washington, D.C. 20231

Jian S. Zhou

Registration No. 41, 422

 Date: April 18, 2001

TRANSMITTAL OF NON-PROVISIONAL PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the complete patent
application of :

Nucleic Acid Molecules and Other Molecules Associated with Plants

Inventors: Oleg V. Bougri

Joseph R. Byrum

Robert C. De La Pena

Thomas J. La Rosa
Hridayabhiranjan Shukla

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO/SB/17 (in duplicate);
3. U.S. Utility Patent Application entitled:
Nucleic Acid Molecules and Other Molecules Associated with Plants
and naming as inventors:
Oleg V. BOUGRI, Joseph R. BYRUM, Robert C. DE LA PENA, Thomas J. LA
ROSA and Hridayabhiranjan SHUKLA
the application consisting of:
 - a. A specification containing:
 - (i) 68 pages of a description prior to the claims;
 - (ii) 1 page of claims (9 claims); and
 - (iii) a one (1) page abstract;
4. The computer readable form (CRF) containing the sequence listing information;
5. 2 CD-Rs (Copy 1, Copy 2) containing the Sequence listing;
6. Statement regarding Sequence Submission;
7. Combined Declaration and Power of Attorney, executed by inventor Oleg V.
Bougri (4 pages);
8. Combined Declaration and Power of Attorney, executed by inventor Joseph R.
Byrum (4 pages);

9. Combined Declaration and Power of Attorney, executed by inventor Robert C. De La Pena (4 pages);
10. Combined Declaration and Power of Attorney, executed by inventor Thomas J. La Rosa (4 pages);
11. Combined Declaration and Power of Attorney, executed by inventor Hridayabhiranjan Shukla (4 pages);
12. Form PTO/SB/35;
13. An Information Disclosure Statement;
14. Form PTO-1449 (1 page), with 8 accompanying documents; and
15. Two (2) return postcards

It is respectfully requested that the two attached prepaid postcards be stamped with the filing date and unofficial application number and returned as soon as possible.

Respectfully submitted,



Lawrence M. Lavin, Jr., Esq (Reg. No. 30,768)

Jian S. Zhou (Reg. No. 41,422)

Enclosures

Date: April 18, 2001

Patent Department, E2NA
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, MO 63167
Tel: 636-694-3602
Fax: 636-694-1671

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Oleg V. Bougri
Title	NUCLEIC ACID MOLECULES AND OTHER MOLECULES ASSOCIATED WITH PLANTS
Attorney Docket No.	38-21(51892)B

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 18, 2001
Date


Signature

Jian S. Zhou (Reg. No. 41422)
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1c903 U.S. PTO
09/837604
04/18/01

In re application of:

Oleg V. Bougri *et al.*

Art Unit: To be assigned

Appln. No.: To Be Assigned

Examiner: To be assigned

Filed:

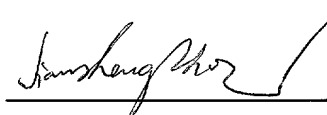
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For: Nucleic Acid Molecules And Other
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Express Mail Label No.EK089244633US on the date indicated and is addressed to:
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Jian S. Zhou

Registration No. 41, 422

 Date: April 18, 2001

Statement Regarding Sequence Submission

Assistant Commissioner for Patents
Washington, DC 20231

Box Patent Application

Sir:

In accordance with 37 C.F.R. § 1.821(f), the sequence listing information recorded in
computer readable form (CRF) submitted herewith in the above-mentioned application is
identical to the written sequence listing on CD-R (2 copies).

Respectfully submitted,



Jian S. Zhou
(Reg. No. 41,422)

Date: April 18, 2001

Patent Department, E2NA, Monsanto Company
800 N. Lindbergh Blvd.
St. Louis, MO 63167
Tel: (314) 694-3602
Fax: (314) 694-1671